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**Amendments to the claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of claims:**

Claim 1 (currently amended): A magnetic recording medium, ~~comprising~~consisting of:  
a nonmagnetic substrate;  
a metal layer formed on said nonmagnetic substrate, said metal layer having  
unspontaneous magnetization property;  
a first magnetic layer formed on said metal layer; and  
a second magnetic layer formed on said first magnetic layer, said second magnetic layer  
having a greater peak residual magnetization than said first magnetic layer within a temperature  
range of from a room temperature to a Curie temperature of the second magnetic layer.

Claim 2 (previously presented): The magnetic recording medium as set forth in claim 1,  
wherein:  
the largest possible residual magnetization in said second magnetic layer is greater than  
the largest possible residual magnetization in said first magnetic layer by not less than 1.2 times  
within the temperature range of from the room temperature to the Curic temperature.

Claim 3 (original): The magnetic recording medium as set forth in claim 1, wherein:  
a thickness of said second magnetic layer in a direction perpendicular to a surface of said  
substrate is not less than 10 nm and not more than 50 nm.

Claim 4 (original): The magnetic recording medium as set forth in claim 1, wherein:  
said first magnetic layer includes at least one kind of rare earth metal and at least one  
kind of 3d transition metal.

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Claim 5 (original): The magnetic recording medium as set forth in claim 1, wherein:

said first magnetic layer includes at least one kind of rare earth metal and at least one kind of 3d transition metal; and said second magnetic layer includes (A) at least one kind of rare earth metal other than the rare earth metal contained in said first magnetic layer, and (B) at least one kind of 3d transition metal.

Claim 6 (previously presented): The magnetic recording medium as set forth in claim 1, wherein:

a temperature that maximizes the residual magnetization in said second magnetic layer and a temperature that maximizes the residual magnetization in said first magnetic layer are substantially equal to each other within the range of from the room temperature to the Curie temperature.

Claim 7 (original): The magnetic recording medium as set forth in claim 1, wherein:

said metal layer has grains on a surface opposite to a surface facing said substrate.

Claim 8 (original): The magnetic recording medium as set forth in claim 7, wherein:

each of the grains on said metal layer has a diameter of from 10 nm to 50 nm.

Claim 9 (original): The magnetic recording medium as set forth in claim 7, wherein:

the grains are formed with a density of from 400 grains/ $\mu\text{m}^2$  to 10000 grains/ $\mu\text{m}^2$ .

Claim 10 (original): The magnetic recording medium as set forth in claim 1, wherein:

a thickness of said metal layer in a direction perpendicular to a surface of said substrate is approximately 10 nm.

Claim 11 (original): The magnetic recording medium as set forth in claim 1, wherein:

a laser-assisted magnetic recording method is used for recording and reproducing.

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**Claim 12 (currently amended):** A magnetic recording medium which includes a nonmagnetic substrate and a first magnetic layer, ~~comprising~~consisting of:

a second magnetic layer having a greater peak residual magnetization than said first magnetic layer within a temperature range of from a room temperature to a Curie temperature of the second magnetic layer; and

a metal layer which is formed on the nonmagnetic substrate and has unspontaneous magnetization property.

**Claim 13 (previously presented):** The magnetic recording medium as set forth in claim 12, wherein:

a temperature that maximizes the residual magnetization in said second magnetic layer and a temperature that maximizes the residual magnetization in said first magnetic layer are substantially equal to each other within the range of from the room temperature to the Curie temperature.

**Claim 14 (original):** The magnetic recording medium as set forth in claim 12, wherein:

said second magnetic layer is formed on a surface of said first magnetic layer, the surface facing a magnetic head of a recording device or a reproducing device.

**Claim 15 (original):** The magnetic recording medium as set forth in claim 12, wherein:

said first magnetic layer includes at least one kind of rare earth metal and at least one kind of 3d transition metal.

**Claim 16 (original):** The magnetic recording medium as set forth in claim 12, wherein:

said second magnetic layer includes (A) at least one kind of rare earth metal other than rare earth metal contained in said first magnetic layer, and (B) at least one kind of 3d transition metal.

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Claim 17 (withdrawn): A recording device, comprising:

heating means for locally heating a portion of a magnetic recording medium including a substrate, a first magnetic layer, a second magnetic layer having a greater largest possible absolute value of magnetization than said first magnetic layer within a temperature range of from a room temperature to a Curie temperature, and

a metal layer made of metal having unspontaneous magnetization property; and a magnetic head for applying a magnetic field on the portion heated by said heating means.

Claim 18 (withdrawn): A reproducing device, comprising:

heating means for locally heating a portion of a magnetic recording medium including a substrate, a first magnetic layer, a second magnetic layer having a greater largest possible absolute value of magnetization than said first magnetic layer within a temperature range of from a room temperature to a Curie temperature, and

a metal layer made of metal having unspontaneous magnetization property; and a magnetic head for detecting magnetization of the portion heated by said heating means.